

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Marc S. Kirschner,  
as Trustee of the Refco Litigation Trust,

07 Civ. 7074 (GEL)

Plaintiff,

-against-

THOMAS H. LEE PARTNERS, L.P.; THOMAS H.  
LEE ADVISORS, LLC; THL MANAGERS V, LLC;  
THL EQUITY ADVISORS V, L.P.; THOMAS H. LEE  
EQUITY FUND V, L.P.; THOMAS H. LEE  
PARALLEL FUND V, L.P.; THOMAS H. LEE  
EQUITY (CAYMAN) FUND V, L.P.; THOMAS H.  
LEE INVESTORS LIMITED PARTNERSHIP; 1997  
THOMAS H. LEE NOMINEE TRUST; THOMAS H.  
LEE; DAVID V. HARKINS; SCOTT L. JAECKEL; and  
SCOTT A. SCOEN,

Defendants.

**FED. R. CIV. P. 7.1 DISCLOSURE STATEMENT**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, defendant Thomas H. Lee Partners, L.P. ("THLP") hereby discloses that: (i) Thomas H. Lee Advisors, LLC, a limited liability company, is its general partner; and (ii) Great-West Lifeco Inc., a publicly held corporation, indirectly and through a series of wholly owned subsidiaries, owns more than 10 percent of the interests in THLP.

Defendant Thomas H. Lee Advisors, LLC hereby discloses that: (i) it has no managing member or general partner; (ii) it has no parent corporation; and (iii) Great-West Lifeco Inc., a publicly held corporation, indirectly and through a series of wholly owned subsidiaries, owns more than 10 percent of the interests in Thomas H. Lee Advisors, LLC.

Defendants Thomas H. Lee Equity Fund V, L.P., Thomas H. Lee Parallel Fund V, L.P. and Thomas H. Lee Equity (Cayman) Fund V, L.P. (the "THL Funds") hereby disclose that they are limited partnerships whose general partner is THL Equity Advisors V LLC. There is no publicly held limited partner of the THL Funds that owns ten percent or more of their interests.

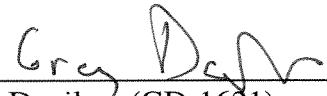
Defendant THL Equity Advisors V, LLC hereby discloses that it is a limited liability company that is wholly owned by THLP. Defendant THL Managers V, LLC, a limited liability company, hereby discloses that: (i) THLP is its managing member and owner of 99.5% of the company; and (ii) Thomas H. Lee Advisors, LLC owns the remaining .5% of the company.

Defendant Thomas H. Lee Investors Limited Partnership, a limited partnership, hereby discloses that its general partner is THL Investment Management Corp. Defendant The 1997 Thomas H. Lee Nominee Trust hereby discloses that it is a trust over which Defendant Thomas H. Lee has voting and investment control.

Dated: October 23, 2007  
New York, New York

Respectfully submitted,

WEIL, GOTSHAL & MANGES LLP

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-and-

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*Attorneys for Defendants*